

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

03-10-00
ATTORNEY DOCKET NO. YOR000026US1 (8728-349)

Date: March 17, 2000

Express Mail Label: EL433927561US

Date of Deposit: March 17, 2000

A

03/17/00
JC600 U.S. PRO
09/528456

Transmitted herewith for filing is the Patent Application of:

Inventors: Martin Kienzle, Ray E. Rose, Olivier Verscheure
STREAM CONTINUITY ENFORCEMENT

Enclosed are: [X] 21 sheets of specification; [X] 1 sheet(s) of Abstract; [X] 12 sheet(s) of claims; [X] 5 sheet(s) of drawing(s);

- [X] An assignment of the invention to International Business Machines Corporation with Recordation Form.
[X] Declaration and Power of Attorney.
[] A certified copy of a _____ application, from which priority under Title 35 USC §119 is claimed.
[X] Associate Power of Attorney.

The filing fee has been calculated as shown below:

| | (Col. 1) | (Col. 2) |
|---|-----------|-----------|
| FOR: | NO. FILED | NO. EXTRA |
| BASIC FEE | | |
| TOTAL CLAIMS | 34 -20 = | 14 |
| INDEP CLAIMS | 8 -3 = | 5 |
| ___ MULTIPLE DEPENDENT CLAIMS PRESENTED | | |

OTHER THAN A
SMALL ENTITY

| RATE | FEE |
|----------|-------------|
| | \$ 690.00 |
| X \$18 = | \$ 252.00 |
| X \$78 = | \$ 390.00 |
| + 260 = | |
| TOTAL | \$ 1,332.00 |

If the difference in Col. 1 is less than zero, enter "0" in Col. 2.

- [] Checks in the amount of \$___ and \$___ to cover the filing fee(s) and recording fee are enclosed.
[X] Please charge my Deposit Account No. 50-0510/IBM (Yorktown Heights) in the amount of \$1,332.00
[X] The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0510/IBM (Yorktown Heights). **A duplicate copy of this sheet is enclosed.**
[X] Any additional filing fees required under 37 CFR 1.16.
[X] Any patent application processing fees under 35 CFR 1.17.

Please address all
correspondence to:
F. CHAU & ASSOCIATES, LLP
1900 Hempstead Turnpike, Suite 501
East Meadow, NY 11554
Tel: (516) 357-0091
Fax: (516) 357-0092

Respectfully submitted,
By: James J. Bitetto
James J. Bitetto
Registration No. 40,513
Attorney for:
IBM Corporation
Intellectual Property Law Dept.
P.O. Box 218
Yorktown Heights, NY 10598

CERTIFICATION UNDER 37 C.F.R. § 1.10

I hereby certify that this Application transmittal and the documents referred to as enclosed are being deposited with the United States Postal Service on this date March 17, 2000 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EL433927561US addressed to: Assistant Commissioner for Patents, Box Patent Application, Washington, D.C. 20231.

James J. Bitetto
James J. Bitetto

JC600 U.S. PRO
09/528456
03/17/00

03/17/00
JC712 U.S. PTO

Please type a plus sign (+) inside this box → ☐

PTO/SB/05 (4/98)
Approved for use through 09/30/2000. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))

Attorney Docket No. Y0R000028US1 (8728-349)

First Inventor or Application Identifier Kienzie et al.

Title Stream Continuity Enforcement

Express Mail Label No. EL433927561US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☒ Specification [Total Pages 34]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to Microfiche Appendix
 - Background of the invention
 - Brief Summary of the invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
3. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 5]
4. Oath or Declaration [Total Pages 2]
 - a. ☒ Newly executed (original or copy)
 - b. ☐ Copy from a prior application (37 C.F.R. § 1.63(d))
(for continuation/divisional with Box 16 completed)
 - i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).

* NOTE FOR ITEMS 1 & 13: IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 C.F.R. § 1.27), EXCEPT IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON (37 C.F.R. § 1.28).

ADDRESS TO:

Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

5. ☐ Microfiche Computer Program (Appendix)
6. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. ☐ Computer Readable Copy
 - b. ☐ Paper Copy (identical to computer copy)
 - c. ☐ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

7. ☒ Assignment Papers (cover sheet & document(s))
8. ☐ 37 C.F.R. § 3.73(b) Statement ☒ Power of Attorney
(when there is an assignee)
9. ☐ English Translation Document (if applicable)
10. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☒ Copies of IDS Citations
11. ☐ Preliminary Amendment
12. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
13. ☐ Small Entity Statement(s) ☐ Statement filed in prior application, Status still proper and desired
(PTO/SB/09-12)
14. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
15. ☒ Other: Associate Power of Attorney

16. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No: _____

Prior application information: Examiner _____ Group / Art Unit: _____

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

17. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label

(Insert Customer No. or Attach bar code label here)

or ☐ Correspondence address below

| | | | | | |
|---------|---|-----------|----------------|----------|----------------|
| Name | James J. Bitetto | | | | |
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| City | East Meadow | State | New York | Zip Code | 11554 |
| Country | USA | Telephone | (516) 357-0091 | Fax | (516) 357-0092 |

Name (Print/Type) James J. Bitetto

Registration No. (Attorney/Agent)

40,513

Signature

[Signature]

Date

3/17/00

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

FEE TRANSMITTAL

for FY 2000

*Patent fees are subject to annual revision.
Small Entity payments must be supported by a small entity statement,
otherwise large entity fees must be paid. See Forms PTO/SB/09-12.
See 37 C.F.R. §§ 1.27 and 1.28.*

TOTAL AMOUNT OF PAYMENT (\$) 1372.00

Complete if Known

| | |
|----------------------|-------------------------|
| Application Number | |
| Filing Date | March 17, 2000 |
| First Named Inventor | Kienzle et al. |
| Examiner Name | |
| Group / Art Unit | |
| Attorney Docket No. | YOR000028US1 (8728-349) |

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number: 50-0510/IBM

Deposit Account Name: IBM/Yorktown Heights

☒ Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17

2. ☐ Payment Enclosed:
☐ Check ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|----------------------------|----------------------------|------------------------|----------|
| 101 690 | 201 345 | Utility filing fee | 690 |
| 106 310 | 206 155 | Design filing fee | |
| 107 480 | 207 240 | Plant filing fee | |
| 108 690 | 208 345 | Reissue filing fee | |
| 114 150 | 214 75 | Provisional filing fee | |

SUBTOTAL (1) (\$) 690.00

2. EXTRA CLAIM FEES

| Total Claims | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| 34 | 20** = 14 | 18 | 252 |
| 8 | 3** = 5 | 78 | 390 |
| Multiple Dependent | | 260 | |

**or number previously paid, if greater; For Reissues, see below

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description |
|----------------------------|----------------------------|--|
| 103 18 | 203 9 | Claims in excess of 20 |
| 102 78 | 202 39 | Independent claims in excess of 3 |
| 104 260 | 204 130 | Multiple dependent claim, if not paid |
| 109 78 | 209 39 | ** Reissue independent claims over original patent |
| 110 18 | 210 9 | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$) 642.00

FEE CALCULATION (continued)

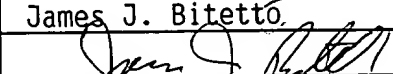
3. ADDITIONAL FEES

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|----------------------------|----------------------------|--|----------|
| 105 130 | 205 65 | Surcharge - late filing fee or oath | |
| 127 50 | 227 25 | Surcharge - late provisional filing fee or cover sheet | |
| 139 130 | 139 130 | Non-English specification | |
| 147 2,520 | 147 2,520 | For filing a request for reexamination | |
| 112 920* | 112 920* | Requesting publication of SIR prior to Examiner action | |
| 113 1,840* | 113 1,840* | Requesting publication of SIR after Examiner action | |
| 115 110 | 215 55 | Extension for reply within first month | |
| 116 380 | 216 190 | Extension for reply within second month | |
| 117 870 | 217 435 | Extension for reply within third month | |
| 118 1,360 | 218 680 | Extension for reply within fourth month | |
| 128 1,850 | 228 925 | Extension for reply within fifth month | |
| 119 300 | 219 150 | Notice of Appeal | |
| 120 300 | 220 150 | Filing a brief in support of an appeal | |
| 121 260 | 221 130 | Request for oral hearing | |
| 138 1,510 | 138 1,510 | Petition to institute a public use proceeding | |
| 140 110 | 240 55 | Petition to revive - unavoidable | |
| 141 1,210 | 241 605 | Petition to revive - unintentional | |
| 142 1,210 | 242 605 | Utility issue fee (or reissue) | |
| 143 430 | 243 215 | Design issue fee | |
| 144 580 | 244 290 | Plant issue fee | |
| 122 130 | 122 130 | Petitions to the Commissioner | |
| 123 50 | 123 50 | Petitions related to provisional applications | |
| 126 240 | 126 240 | Submission of Information Disclosure Stmt | |
| 581 40 | 581 40 | Recording each patent assignment per property (times number of properties) | 40.00 |
| 146 690 | 246 345 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 149 690 | 249 345 | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| Other fee (specify) | | | |
| Other fee (specify) | | | |

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 40.00

SUBMITTED BY

| | | | | | |
|-------------------|---|-----------------------------------|--------|-----------|----------------|
| Name (Print/Type) | James J. Bitetto | Registration No. (Attorney/Agent) | 40,513 | Telephone | (516) 357-0091 |
| Signature |  | | | Date | 3/17/00 |

WARNING:

Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.